

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAI A. GOULSBY,

Plaintiff,

v.

DOUG WADDINGTON, *et al.*,

Defendants.

Case No. 07-5139 RBL/KLS

ORDER GRANTING DEFENDANTS'
MOTION TO STAY DISCOVERY

Before the Court is Defendants' motion to stay discovery pending the Court's resolution of Defendants' motion to dismiss. (Dkt. # 19). For the reasons stated below, the Court finds that the motion should be granted.

PROCEDURAL BACKGROUND

On November 30, 2007, Plaintiff filed a complaint alleging that he was unlawfully detained past his earned early release date of April 4, 2003. (Dkt. # 13). Presently pending before the Court is Defendants' motion to dismiss on grounds that Plaintiff's claim is barred by Washington's three year statute of limitations and by the doctrine of res judicata as Plaintiff brought an identical action previously dismissed in Grays Harbor Superior Court. (Dkt. # 19).

DISCUSSION


The court has broad discretionary powers to control discovery. *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). Upon showing of good cause, the court may deny or limit discovery. Fed. R. Civ. P. 26(c). A court may relieve a party of the burdens of discovery while a dispositive

1 motion is pending. *DiMartini v. Ferrin*, 889 F.2d 922 (9th Cir. 1989), amended at 906 F.2d 465 (9th
2 Cir. 1990) *Rae v. Union Bank*, 725 F.2d 478 (9th Cir. 1984).

3 Given the early stages of this litigation, a stay is warranted while the Court determines the
4 threshold issues of whether Plaintiff's claims are barred by the statute of limitations and/or the
5 doctrine of res judicata.

6 Accordingly, all discovery in this matter shall be **STAYED** pending further order of this
7 Court.

8 DATED this 22nd day of April, 2008.

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11 Karen L. Strombom
12 United States Magistrate Judge
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